

**NATURAL RESOURCE COMMISSION[571]**

**Notice of Intended Action**

**Proposing rule making related to snowmobiles and providing an opportunity for public comment**

The Natural Resource Commission hereby proposes to amend Chapter 47, “Snowmobiles,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 321G.2(1)“e,” 321G.7(2) and 455A.5(6).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 321G.2(1)“e,” 321G.7 and 455A.5(6).

*Purpose and Summary*

Iowa Code section 321G.7(2) requires that at least 70 percent of Iowa’s snowmobile registration funds be used on grants, subgrants, contracts, or cost-share programs in support of Iowa’s snowmobile programs. These funds are available for political subdivisions and incorporated private organizations. Prior to 2017, only 50 percent of registration funds were required to be used in such a manner, but the amount was increased by the 87th General Assembly in 2017 Iowa Acts, Senate File 472, signed by Governor Branstad on April 12, 2017. This enlargement necessarily increases the Iowa Department of Natural Resources’ (Department) workload associated with implementing such grants, contracts, and cost-share programs. After the passage of the bill, the Department and the Iowa State Snowmobile Association (ISSA) mutually agreed to transfer these moneys to ISSA via contract so that ISSA rather than the Department may distribute the funds consistent with the statutory directive. This agreement benefits both parties by enabling the Department to focus its limited resources on other administrative and enforcement matters, while empowering ISSA to foster a more active snowmobile community within the state. The parties signed the contract on September 5, 2017, specifying the requirements in law for these registration funds.

Chapter 47 contains the rules for registering, operating, and selling snowmobiles in the state. Two amendments are proposed for the chapter. First, rule 571—47.10(321G) is being added to make clear that at least 70 percent of snowmobile fees will be transferred via contract to a political subdivision or incorporated private organization for use consistent with Iowa Code section 321G.7(2). The new rule also outlines the minimum terms such a contract shall always contain to ensure that the statutorily mandated grants and cost-share programs are being implemented and to ensure that these public funds are subject to regular accounting and reporting. Second, the Commission’s snowmobile registration revenue grant program rules contained in Division III are being rescinded. These rules are no longer necessary since ISSA shall be administering the program.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa. The funds used in the snowmobile registration revenue grant program will not change because of the proposed amendments. A copy of the impact statement is available from the Department upon request.

### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found. A copy of the impact statement is available from the Department upon request.

### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 561—Chapter 10.

### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on June 26, 2018. Comments should be directed to:

Rhonda Fowler  
Wallace State Office Building  
502 East Ninth Street  
Des Moines, Iowa 50319  
Phone: 515.725.8490  
Email: [rhonda.fowler@dnr.iowa.gov](mailto:rhonda.fowler@dnr.iowa.gov)

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held. Upon arrival, attendees should proceed to the fourth floor to check in at the Department reception desk and be directed to the appropriate hearing location.

June 26, 2018  
9 to 10 a.m.

Conference Room 4E  
Wallace State Office Building  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Adopt the following **new** rule 571—47.10(321G):

**571—47.10(321G) Snowmobile fee grants, cost-share programs, and contracts.** The department shall transfer, via contract, at least 70 percent of snowmobile fees to a political subdivision or an incorporated private organization for distribution through snowmobile-related grants, cost-share

agreements, or contracts consistent with Iowa Code section 321G.7(2). Terms of this contract shall, at a minimum, direct the receiving party to identify and make publicly available grant, cost-share program, and contract eligibility and selection criteria; accounting, auditing, and reporting requirements; termination terms; and unspent money repayment processes. Any contract entered into pursuant to this rule shall be available on the department's website or upon request from department snowmobile program staff.

This rule is intended to implement Iowa Code section 321G.7(2).

ITEM 2. Rescind rules **571—47.30(321G)** to **571—47.47(321G)**.